



Attorney Docket No.: 041514-5211

DK *EW*
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Hiroaki KITAHARA et al.) Confirmation No.: 4661
Application No.: 10/043,260) Group Art Unit: 2877
Filed: January 14, 2002) Examiner: Turner, Samuel A
For: LASER-BASED MEASURING APPARATUS) Mail Stop RCE
FOR MEASURING AN AXIAL RUN-OUT IN A)
CYLINDER OF ROTATION AND METHOD FOR)
MEASURING THE SAME UTILIZING)
OPPOSING INCIDENT MEASURING LIGHT)
BEAMS (As Amended))

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop RCE
Alexandria, VA 22314

Sir:

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

Previously submitted:
 Please consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on ____ (Any unentered amendment(s) referred to above will be entered).
 Please consider the arguments in the Appeal Brief or Reply Brief previously filed on ____.

Enclosed:
 Supplemental Reply
 Other: Preliminary Amendment Filed with RCE Under 37 C.F.R. §1.114

2. Miscellaneous

Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

Other: _____

3. Fees Calculation

(a) RCE Fee required under 37 C.F.R. § 1.17(e)

\$790.00

\$385.00 (for small entity)

(b) Additional Claims

| CLAIMS AS AMENDED | | | | | | |
|---|----------------------------------|-------|-----------------------------|---------------|----------------|------------|
| | Claims Remaining After Amendment | | Highest No. Previously Paid | Present Extra | at Rate of | Total Fees |
| Total Claims (37 C.F.R. §1.16(c)) | 6 | minus | 20 | 0 | x \$50 each = | +\$ 0.00 |
| Independent Claims (37 C.F.R. §1.16(b)) | 2 | minus | 3 | 0 | x \$200 each = | +\$ 0.00 |
| [] First presentation of Multiple dependent claim(s) | | | | | \$360.00 | +\$ 00.00 |
| SUB-TOTAL = | | | | | | \$ 0.00 |
| Reduction by ½ for filing by a small entity | | | | | | -\$ 0.00 |
| TOTAL FEE = | | | | | | \$ 0.00 |

(c) Extension of Time

Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.

Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below.

| Total Months <u>Requested</u> | Fee for Extension | Fee for Small Entity |
|---|----------------------|-------------------------|
| <input checked="" type="checkbox"/> one month | \$ 120.00 | \$ 60.00 |
| <input type="checkbox"/> two months | \$ 450.00 | \$225.00 |
| <input type="checkbox"/> three months | \$1,020.00 | \$510.00 |
| <input type="checkbox"/> four months | \$1,590.00 | \$795.00 |

The extension of time fee for this request: \$ 120.00.

If an additional extension of time is required, please consider this a Petition therefor.

4. Fee Payment

Enclosed is a check in the amount of \$_____.

The Commissioner is hereby authorized to charge the Deposit Account No. 50-0310 in the amount of \$910.00 (representing \$790.00 for the RCE filing fee and \$120.00 for the one month extension of time fee).

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN LEWIS & BOCKIUS LLP


Paul A. Fournier
Reg. No. 41,023

Dated: February 28, 2005 By:

Customer No. 009629

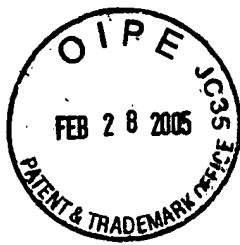
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RCE

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Sir:

PRELIMINARY AMENDMENT FILED WITH RCE UNDER 37 C.F.R. §1.114

In response to the Final Office Action dated October 28, 2004, the period for response to which extends through February 28, 2005 by the concurrently filed petition for a one-month extension of time and corresponding fee payment, and concurrently filed herein with a Request for Continued Examination and prior to continued examination, please amend the above-application as follows:

03/02/2005 JBALINAN 0000003 500310 10043260

02 FC:1251 120.00 DA